



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,362	05/11/2005	Erwin Weh	JFIE5.002APC	1081
20995 7590 01/16/2008 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			EXAMINER PRICE, CRAIG JAMES	
			ART UNIT 3753	PAPER NUMBER
			NOTIFICATION DATE 01/16/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@knob.com
eOAPilot@knob.com

Office Action Summary

Application No.

10/506,362

Applicant(s)

WEH ET AL.

Examiner

Craig Price

Art Unit

3753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. The amendments overcome the claim objections.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “two substantially axially –facing sealing edges” (no reference indicator) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1 -9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitation in claim 1, "two substantially axially – facing sealing edges", is unclear. Which edges are being referred to? Which edge is facing which axis? Which axis is the claim referring to? Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 5, 6, 8 and 9 are rejected under 35 U.S.C. 102(b) as best understood, as being anticipated by Weh et al. (5,095,947).

Weh et al. disclose a connection coupling for transferring gaseous and/or liquid fluids, especially for filling gas tanks of motor vehicles, comprising an inlet region which comprises an inlet valve (the components for A, 5, 10 and 13) and is connected with a supply line (inside 13) and a ventilation line (internal to 15) and comprises a pressure compensation chamber (the internal bore of 5 where cross holes for venting are located) and a ventilation valve (B), characterized in that the ventilation valve is formed by a sealing disk (7) which can be moved in the axial direction of the connection coupling in a controlled manner towards the inlet valve and away from the same, and wherein the sealing disk comprises two substantially axially facing sealing edges (the sealing edges contacting 40 and 43) as shown in figure 2.

Regarding claim 2, Weh et al. disclose that the sealing disk comprises a central pass-through as shown in figure 2.

Regarding claim 3, Weh et al. disclose the sealing edges engage the sealing position in mutually opposite shoulders provided on the inside of valve slides of the ventilation and inlet valves (the rightmost face seals on the inside of 10 at 43 the inlet valve, the leftmost face seals on the inside of 6 abutting 40) as shown in figure 2.

Regarding claim 4, Weh et al. disclose that the sealing disk is guided on the outside circumference (an inside diameter bore within 5, close to the handle) as shown in figure 2.

Regarding claim 5, Weh et al. disclose that pass-through slots (to the pressure compensation chamber are provided on the outside circumference of the sealing disk (the 2 cross holes, left of 10 in the bore of 5) as shown in figure 2.

Regarding claim 6, Weh et al. disclose that the pass-through slots to the pressure compensation chamber are milled into a guide part (the housing 5 is a guide part of the inlet valve) of the inlet valve as shown in figure 2.

Regarding claim 8, Weh et al. disclose that the supply line and the ventilation line are enclosed at least partly by a housing cap (15) arranged as a handle as shown in figure 2

Regarding claim 9, Weh et al. disclose that the pressure compensation chamber is arranged as an annular space (internal to 15), which is in connection with the ventilation line via a bore (cross holes in 15) as best shown in figure 2.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weh et al. in view of Haunhorst (5,464,042).

Weh et al. have disclosed all of the features of the claimed invention although is silent in having the sealing disk comprise of PTFE or copper.

Haunhorst discloses a quick connect coupling which teaches the use of a seal (289) which may be formed of "nylon, Teflon, a soft copper alloy" (Col. 13, Lns. 24-26).

It would have been obvious to one of ordinary skill in the art at the time of invention to employ the seal material of Haunhorst into the sealing disk of Weh et al. to have the sealing disk comprise of copper in order to act as the primary seal when the unit is connected and fully opened (Col. 13, Lns. 18-23).

Response to Arguments

6. Applicant's arguments filed 10/24/2007 have been fully considered but they are not persuasive. Regarding the argument concerning that the sealing disk comprises two axially facing sealing edges is not persuasive, because there is no limitation concerning from which axis these surfaces can be chosen from. The given limitation remains unclear, and interpreted in the broadest manner. The taper 7 of Weh '947 is as much of a disk as is applicant's in that it is round with a hole a contoured outer surfaces, just because the taper is longer does not mean this part can not be considered as a disk.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Craig Price whose telephone number is (571) 272-2712. The examiner can normally be reached on 7AM - 5:30PM M-R, Increased flex time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Huson can be reached on (571) 272-4887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

Application/Control Number:
10/506,362
Art Unit: 3753

Page 8

more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CP



9 January 2007



JOHN RIVELL
PRIMARY EXAMINER
ART UNIT 347